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June 7, 2002

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
455 12th Street, S.W.
Washington, DC 20554

Re: Ex Parte Presentation

**In the Matter of Implementation of the Cable Television Consumer
Protection and Competition Act of 1992: Development of Competition and
Diversity in Video Programming Distribution: Section 628(c)(5) of the
Communications Act**

CS Docket No. 01-290

Dear Ms. Dortch:

On June 6, 2002, in connection with the above-captioned proceeding, Charles Dolan, Sheila Mahony, Lisa Rosenblum, and Lee Schroeder of Cablevision Systems Corporation and the undersigned met with Commissioner Kevin Martin, Catherine Bohigian, legal advisor, and Matt Segers, intern, in the office of Commissioner Martin. Ms. Rosenblum, Michael Olsen of Cablevision, and the undersigned also met with Jane Mago and Joel Kaufman of the Office of General Counsel in connection with this proceeding.

Consistent with Cablevision's earlier submissions in this proceeding, we suggested that applying the exclusivity ban in section 628(c)(2)(D) to contracts with EchoStar and DirecTV would not meet the "necessary" standard set out in section 628(c)(5) in light of the subscribership, growth rates, market capitalization, and financial resources of these providers. We noted that the proponents of extending the exclusivity ban had failed to provide economic evidence sufficient to satisfy the "necessary" standard. We pointed out that DBS subscribership has consistently increased in the New York market, where Rainbow's Metro service is available

Ms. Marlene H. Dortch

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exclusively to cable operators. In support of these points, we provided the attached material to the Commission participants in the meetings. Finally, we argued that the Commission had the authority to sunset the ban in part, to the extent it was no longer necessary.

Pursuant to sections 1.1206(b)(1) and (b)(2) of the Commission's rules, a copy of this notice and the attachment has been filed electronically with the Secretary's office. Copies of this notice have also been transmitted electronically to the Commission participants in the meetings.

Please do not hesitate to contact the undersigned should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard J. Symons", with a long horizontal flourish extending to the right.

Howard J. Symons

Attachment

cc: Hon. Kevin Martin
Catherine Bohigian
Matt Segers
Jane Mago
Joel Kaufman